

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STERLING NATIONAL BANK,

Plaintiff,

-v.-

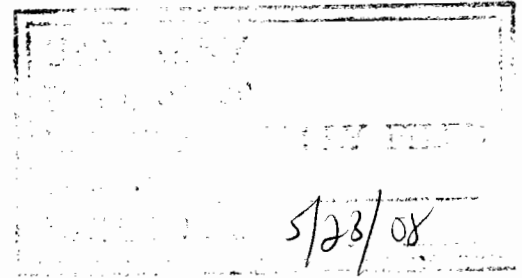
HI-TECH MARKETING, et al.,
Defendants.
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GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE

After consultation with the parties, the following scheduling order is adopted by the
Court pursuant to Rule 16 of the Federal Rules of Civil Procedure:

1. All requests for documents and interrogatories pursuant to Local Civil Rule 33.3(a) shall be served by June 6, 2008.
2. No discovery shall take place after August 15, 2008.
3. Any dispositive pretrial motions shall be filed by September 15, 2008.¹
4. All discovery (including requests for admission and any applications to the Court with respect to the conduct of discovery) must be initiated in time to be concluded by the deadline for all discovery. Any application for an extension of the time limitations herein must be made as soon as the cause for the extension becomes known to the party making the application. The application also must state the position of all other parties on the proposed extension and must show good cause therefor not foreseeable as of the date of this Order. 'Good cause' as used in this paragraph does not include circumstances within the control of counsel or the party. Any application not in compliance with this

¹The parties shall follow the rules of the assigned District Judge with respect to any filing or other requirements for motions. In the event the assigned District Judge requires a pre-motion conference prior to the filing of a dispositive motion, the party must make a request in writing for such a conference by the above date and shall not serve or file the motion until the party has received instructions from the assigned District Judge with respect to the due date for the motion.

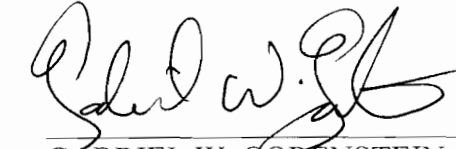


paragraph will be denied. Failure to comply with the terms of this Order may also result in sanctions.

5. All applications to the Court must comply with this Court's Individual Practices, which are available through the Clerk's Office or at: http://www1.nysd.uscourts.gov/judge_info.php?id=67 . Discovery applications -- that is, any application or motion pursuant to Rules 26 through 37 or 45 -- not only must comply with ¶ 2.A. of the Court's Individual Practices but also must be made promptly after the cause for such an application arises. In addition, absent extraordinary circumstances no such application will be considered if made later than 30 days prior to the close of discovery. Untimely applications will be denied.

SO ORDERED.

Dated: New York, New York
May 23, 2008



GABRIEL W. GORENSTEIN
United States Magistrate Judge